**PATENT** 

Attorney Docket No.: UCSD1310-1

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Albani and Prakken

Art Unit:

1645

Application No.:

09/828,574

Examiner:

Navarro, A.M.

Filed:

April 6, 2001

Title:

STRESS PROTEINS AND PEPTIDES AND METHODS OF USE

**THEREOF** 

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified application, please find the following:

- 1. Amendment in Response to Office Action mailed May 18, 2004, (10 pages);
- 2. Petition for One-Month Extension of Time (2 pages);
- 3. Check #566715 in the amount of \$55.00; and
- 4. Return Receipt Postcard.

#### **CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 20, 2004, in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria,

VA 22313-1930

Lisa E. Jambeau

In re Application of:

Albani and Prakken Application No.: 09/828,574

Filed: April 6, 2001

Page 2

The Fee for this Response is calculated as follows:

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	38	59	0	x \$09	x \$18	\$ 0.00
Independent Claims	2	4	0	x \$42	X \$84	\$ 0.00
Multiple Claims				\$140	\$280	\$ 0.00
Basic Filing Fee				\$370	\$740	\$ 0.00
					TOTAL FEE	\$ 0.00

Enclosed is check #566715 for the one-month extension of time fee (\$55.00). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this Transmittal Sheet is enclosed.

Respectfully submitted,

**PATENT** 

Attorney Docket NO.: UCSD1310-1

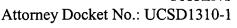
Date: September 20, 2004

Lisa A. Haile, J.D., Ph.D. Registration No. 38,347

Telephone: (858) 677-1456 Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO Customer Number 28213

**PATENT** 





## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Albani and Prakken

Art Unit:

1645

Application No.:

09/828,574

Examiner:

Navarro, A.M.

Filed:

April 6, 2001

Title:

STRESS PROTEINS AND PEPTIDES AND METHODS OF USE

**THEREOF** 

Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# AMENDMENT IN RESPONSE TO OFFICE ACTION

Dear Sir:

This is in response to an Office action dated May 18, 2004, setting a shortened statutory time for response expiring on August 18, 2004. As September 18, 2004 fell on a Saturday, this submission is timely filed on September 20, 2004 with a petition for a one-month extension of time, payment for which is enclosed. Careful consideration has been given to the grounds for rejection and the following amendments and remarks are offered in response. Reconsideration respectfully is requested.

#### CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on September 20, 2004, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lisa E Jambeau